

Hon. Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ESTHER HOFFMAN; *et al.*,

Plaintiffs,

v.

TRANSWORLD SYSTEMS
INCORPORATED; *et al.*,

Defendants.

No. 2:18 cv 1132-TSZ

STIPULATION AND ORDER
EXTENDING RESPONSE TO THE
COMPLAINT AND INITIAL
DISCOVERY DATES

I. STIPULATION

In the Court's Order on Defendants' Motions to Dismiss (Dkt. 118) (the "Order"), this Court dismissed certain Defendants without prejudice and provided Plaintiffs thirty (30) days, to move to amend the pleadings. It could waste resources for the current Defendants to respond to the current Complaint, since Plaintiffs are considering filing a motion to amend the pleadings to add new defendants, so in the interests of judicial economy, the Parties stipulate as follows.

1. If Plaintiffs do not file a motion to amend the pleadings by February 3, 2021, then current Defendants will file a response to Plaintiffs' Second Amended Complaint (Dkt. 61), by February 24, 2021.

2. If Plaintiffs do file a motion to amend the Pleadings by February 3, 2021, then current Defendants will file a response as follows:

STIPULATION AND ORDER EXTENDING
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DISCOVERY DATES - 1
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1 a. Within 21 days of any Order by this Court denying a motion to amend
2 the pleadings, or

3 b. Within 21 days of the filing by Plaintiffs of any Third Amended
4 Complaint, should Plaintiffs' motion be granted.

5 3. The Parties also stipulate that any proposed amended complaint sought to be
6 filed by Plaintiffs will be limited to naming as additional defendants any National Collegiate
7 Student Loan Trust entities and adding facts to support the claims asserted against such entities,
8 pursuant to the juridical link doctrine.

9 4. The Parties further stipulate that, if Plaintiff is permitted to file an amended
10 pleading as outlined in paragraph 3 above, then any Fed. R. Civ. P. 12 motion to dismiss filed
11 by any then-current Defendant(s) will address only whether the juridical link doctrine supports
12 plausible claims for relief asserted against any National Collegiate Student Loan Trust entities
13 added as defendants in the Third Amended Complaint.

14 5. The Parties further stipulate that the Parties may immediately propound written
15 discovery pursuant to Fed. R. Civ. P. 26-37 to any current Party, and the normal rules of
16 discovery will apply.

17 6. The Parties also agree to extend the initial discovery dates, based on the dates of
18 filing of Answers by the Defendants.

19 a. 7 days after filing - Rule 26(a) Initial Disclosures

20 b. 14 days after filing - Rule 26(f) Conference

21 c. 21 days after filing - Joint Status Report and Discovery Plan

22 Jointly submitted this 19th day of January, 2021.

23 LEONARD LAW

24 s/ Sam Leonard
25 Sam Leonard, WSBA #46498

STIPULATION AND ORDER EXTENDING
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STIPULATION AND ORDER EXTENDING
RESPONSE TO THE COMPLAINT AND INITIAL
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II. ORDER

THIS MATTER having come before the Court upon stipulation by the plaintiffs and the defendants, the Court having reviewed and considered the stipulation and all related pleadings and documents on file in this case, NOW THEREFORE, IT IS HEREBY, ORDERED:

1. If Plaintiffs do not file a motion to amend the pleadings by February 3, 2021, then current Defendants shall file a response to Plaintiffs' Second Amended Complaint, (Dkt. 61), by February 24, 2021.

2. If Plaintiffs do file a motion to amend the Pleadings by February 3, 2021, then current Defendants will file a response as follows:

a. Within 21 days of any Order by this Court denying a motion to amend the pleadings, or

b. Within 21 days of the filing by Plaintiffs of any Third Amended Complaint, should Plaintiff's motion be granted.

3. Any proposed amended complaint sought to be filed by Plaintiffs shall be limited to naming as additional defendants any National Collegiate Student Loan Trust entities and adding facts to support the claims asserted against such entities, pursuant to the juridical link doctrine.

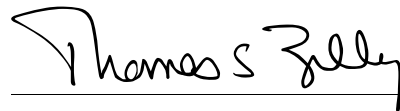
4. If Plaintiff is permitted to file an amended pleading as outlined in paragraph 3 above, then any Fed. R. Civ. P. 12 motion to dismiss filed by any then-current Defendant(s) will address only whether the juridical link doctrine supports plausible claims for relief asserted against any National Collegiate Student Loan Trust entities added as defendants in the Third Amended Complaint.

5. The Parties may immediately propound written discovery pursuant to Fed. R. Civ. P. 26-37 to any current Party, and the normal rules of discovery will apply.

1
2 6. Initial discovery dates shall be extended and shall be based on the filing of
3 Answers by the Defendants, as follows:

- 4 a. 7 days after filing - Rule 26(a) Initial Disclosures
5 b. 14 days after filing - Rule 26(f) Conference
6 c. 21 days after filing - Joint Status Report and Discovery Plan

7
8 Dated this 22nd day of January 2021.

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12 Thomas S. Zilly
13 United States District Judge
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